

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1, 6 through 9, 16, 18, and 19 are pending, with Claims 1 and 18 being independent. Claims 2 through 5, 10 through 15, and 17 have been cancelled without prejudice. Claims 1, 6 through 9, 16, and 18 have been amended. Claim 19 has been added. The specification has been amended to attend to formal matters.

Claims 1 through 18 were rejected under 35 U.S.C. § 102 over WO 02/077865 A1 ("WO '865"). All rejections are respectfully traversed.

Claims 1 and 18 variously recite, *inter alia*, generating first reference type data, which refers to the video data recorded on the recording medium, *concurrently with video data capturing by the image pickup device*, and recording the first reference type data as a file for reproducing the recorded video data, in combination with generating second reference type data, *different from the first reference type data*, the second reference type data referring to one or a plurality of the video data and/or one or a plurality of the first reference type data, in accordance with an instruction by the editing instruction unit or step and recording the generated second reference type data as a file for reproducing the video data subjected to editing.

However, Applicant respectfully submits that WO '865 fails to disclose or suggest at least the above-discussed claimed features as recited, *inter alia*, in Claims 1 and 18. Applicant respectfully submits that WO '865 discloses, e.g., that when a recording medium is formatted or after a picture is photographed, recording an index file, wherein the index file may be created in the format of a QuickTime movie file, but that neither the foregoing nor the remainder of WO '865 provides either a description or suggest of at least the above-discussed claimed features.

Applicant further respectfully submits that there has been no showing of any indication of motivation in the cited document that would lead one having ordinary skill in the art to arrive at such features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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